

## Article - Real Property

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§13-412.

(a) (1) If an objection by a person claiming ownership under § 13-401(2) of this subtitle is sustained under § 13-408(a)(2) of this subtitle, then, within 60 days after entry of the final judgment sustaining the objection, the objector may apply under the previously returned certificate of survey for a patent for any of the vacant land which is described in the certificate of survey and to which the objection was sustained.

(2) On filing an application in the proper form, the objector shall be substituted in the proceeding for the prior applicant, and further notice or proof is not required.

(b) (1) If an order of abandonment is entered under § 13-411 of this subtitle, then, within six months after entry of the order, any person may apply under the previously returned certificate of survey for a patent for any of the vacant land which is described in the certificate of survey.

(2) The Commissioner shall docket the applications for a patent under this subsection in the order received. In granting a request for the patent, any prior applicant for a warrant for the same land, other than the prior applicant whose proceeding was abandoned, shall be preferred in the order of original receipt of the applications for a warrant.

(3) If a request for a patent is granted under this subsection, the new applicant shall be substituted in the proceeding for the prior applicant, and further notice or proof is not required.

(c) An application for a patent under subsection (a) or (b) of this section shall be in writing and contain:

(1) The name and address of the applicant;

(2) The name and address of each person, other than the applicant, who would obtain a direct or indirect title interest in the land for which the patent is sought if the patent were issued to the applicant;

(3) A description of the land to which the application applies, referenced to the description contained in the certificate of survey and accompanying plat;

(4) A description of any family, business, or financial relationship between the surveyor and all persons signing the application;

(5) The name to be given the land to be patented;

(6) A certification that the applicant has reimbursed the prior applicant for all reasonable expenses and surveyor's fees incurred by the prior applicant in the proceeding in connection with the land to which the application applies;

(7) Any other information the Commissioner requests under a rule or regulation adopted under § 13-203 of this title; and

(8) A request for the issuance of a patent for the land described in the application.

(d) The application shall be:

(1) Signed and verified by the applicant and each person required to be named under subsection (c)(2) of this section; and

(2) Accompanied by a deposit on the purchase price for the land and any outstanding expenses owed to the State by the prior applicant.

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